

Application No. 09/527,137
Amendment "C" dated December 22, 2004
Reply to Office Action mailed November 16, 2004

REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies extended during the recent interview held on December 15, 2004. The claim amendments made by this paper are consistent with the proposals discussed during the interview.

The Office Action mailed November 16, 2004, considered claims 1-20, 23-51, 54-56, 58-69, 72, 74-79 and 81-85. All of these claims were rejected¹, in view of various combinations of new and old art, except for claims 8, 11, 12, 51, 84 and 85, which were found to contain allowable subject matter.

By this paper, claims 1 and 43 have been amended and claims 20, 33 and 34 have been cancelled, such that claims 1-20, 23-51, 54-56, 58-69, 72, 74-79 and 81-85 remain pending for reconsideration, of which claims 1, 43, 84 and 85 are the independent claims at issue.

As discussed during the interview, certain elements have been cancelled from independent claims 1 and 43, thereby placing these claims in condition for allowance over the art of record. The only other independent claims at issue, claims 84 & 85 have already been found allowable. The other claims at issue, which are all dependent claims, should also be found allowable over the art of record for at least the same reasons that independent claims 1, 43, 84 and 85 have been found allowable over the art of record.

Inasmuch as no other issues remain unresolved and there are no outstanding rejections to be addressed, Applicants respectfully submit that the pending application is now in condition for prompt allowance.


¹ Claims 20, 33 and 34 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 1, 4-7, 9, 10, 15-17, 19, 23-32 and 35-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams (U.S. Patent No. 6,157,411) in view of Klosterman (U.S. Patent No. 5,550,576) and Sampat (U.S. Patent No. 5,557,724). Claims 1, 13 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Klosterman, to Sampat and Sequeira (U.S. Publication No. 2001/0000194). Claims 1 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Klosterman, Sampat and Heckerman (U.S. Patent No. 6,216,134). Claims 43-50, 54-56, 58-69, 72, 74-79 and 81-83 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Klosterman, to Sampat and Maa (U.S. Patent No. 5,818,935). Claims 2-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams to Klosterman, to Sampat, in view of LaJoie (U.S. Patent No. 5,850,218). Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 23 day of December 2004.

Respectfully submitted,



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